



U.S. Department of Justice
Criminal Division
Fraud Section

1400 New York Ave., N.W.
Washington, D.C. 20530

May 29, 2019

Via ECF

The Honorable Paul A. Engelmayer
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Shak v. JPMorgan Chase & Co., No. 15cv992(PAE)*
Wacker v. JPMorgan Chase & Co., No. 15cv994(PAE)
Grumet v. JPMorgan Chase & Co., No. 15cv995(PAE)

Dear Judge Engelmayer:

On behalf of the United States, undersigned counsel respectfully requests permission to file *ex parte* and under seal portions of the government's Unopposed Motion of the United States for an Extension of the Stay ("Government's Motion").

The proposed *ex parte* and sealed portions of the Government's Motion contain information related to an ongoing criminal investigation by the United States. Disclosure of that information would be detrimental to the government's investigation because it could lead to destruction of evidence, flight from prosecution, and otherwise interfere with the government's ability to conduct its investigation. Therefore, the information should not be in the public record or shared with the plaintiffs or defendants in this case.

In accordance with Rule 6.B of this Court's Individual Rules and Practices in Civil Cases, the United States proposes to file a redacted version of the Government's Motion electronically and deliver an unredacted version by email to the Court.

Enclosed is a courtesy copy of the Proposed *Ex Parte* Filing and Sealing Order for the Government's Motion.

Respectfully submitted,

ROBERT A. ZINK
Acting Chief

By: /s/Matthew F. Sullivan
Avi M. Perry
Matthew F. Sullivan
Trial Attorneys
U.S. Department of Justice
Criminal Division, Fraud Section
1400 New York Ave., NW
Washington, DC 20530
(203) 821-3797 (Perry)
(202) 353-6200 (Sullivan)
Avi.Perry@usdoj.gov
Matthew.Sullivan2@usdoj.gov

cc: All Counsel of Record (via ECF)

Enclosure

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Daniel Shak, et al.,	§	
	§	
v.	§	
	§	No. 15cv992(PAE)
JPMorgan Chase & Co., et al.	§	

Thomas Wacker, et al.,	§	
	§	
v.	§	
	§	No. 15cv994(PAE)
JPMorgan Chase & Co., et al.	§	

Mark Grumet, et al.,	§	
	§	
v.	§	
	§	No. 15cv995(PAE)
JPMorgan Chase & Co., et al.	§	

[PROPOSED] EX PARTE FILING AND SEALING ORDER

This Order addresses the government’s May 29, 2019 request to file *ex parte* and under seal certain portions of the government’s Unopposed Motion of the United States for an Extension of the Stay (“Government’s Motion”).

The portions of the Government’s Motion proposed for *ex parte* and sealed filing contain information related to an ongoing criminal investigation by the United States whose disclosure would be detrimental to the government’s investigation.

THEREFORE, for good cause shown, the government’s request to file portions of the Government’s Motion *ex parte* and under seal is hereby GRANTED.

IT IS SO ORDERED.

Dated: New York, NY
May ___, 2019

PAUL A. ENGELMAYER
UNITED STATES DISTRICT JUDGE